IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7101 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE N.G.NANDI
and
Hon'ble MR.JUSTICE H.K.RATHOD

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BARODA DIST. CO-OPERATIVE PURCHASE & SALE UNION LTD.
Versus
REGISTRAR

Appearance:
1. Special Civil Application No. 7101 of 2002
MR BS PATEL for Petitioner No. 1
MRS RANJAN B PATEL for Petitioner No. 1
GOVERNMENT PLEADER for Respondent No. 1-3
SERVED BY RPAD - (N) for Respondent No. 2

CORAM : MR.JUSTICE N.G.NANDI
and
MR.JUSTICE H.K.RATHOD

Date of decision: 13/08/2002

ORAL JUDGEMENT

(Per : MR.JUSTICE N.G.NANDI)

Rule. Ms.D.S.Pandit, learned AGP waives formal service of Notice of Rule on behalf of the respondents.

Heard. It is stated by Ms.D.S.Pandit, learned AGP for respondents that the election of petitioner Society is now scheduled to be held on 29th September, 2002. She has also placed on record communication dated 6th August, 2002 purported to have signed by the Collector, Vadodara. The same is kept on record. The election of the Managing Committee of the petitioner society become due on 15th March, 2002. In Annexure-A

addressed to the Manager of the petitioner Society, the District Registrar, Co-operative Societies, Vadodara intimated that the specified Co-operative Societies are exempted from holding the election till 30th June, 2002. It is not the say of the learned AGP that non-holding of the election of the Managing Committee of petitioner Society was because of any fault / failure on the part of the petitioner Society.

Under these circumstances, no custodian will be appointed under Section 74[D] of the Co-operative Societies Act till the first meeting of the newly elected managing committee is held after election which is scheduled to be held on 29th September, 2002.

It is stated by learned advocate Mr.Patel for petitioner that in view of above, no further order is necessitated and the petition be disposed of accordingly.

The petition is disposed of accordingly. Rule to the above extent is made absolute.No order as to costs.

[N. G. NANDI, J.]

Date : 13-8-2002 [H. K. RATHOD, J.]

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